

## **7 FAM 1040**

### **SERVICES ON BEHALF OF PROTECTED FOREIGN POWERS**

*(CT:CON-471; 08-08-2013)*

*(Office of Origin: CA/OCS/L)*

### **7 FAM 1041 INTERPRETATION OF LAWS AND REGULATIONS OF PROTECTED POWER**

*(CT:CON-138; 05-17-2006)*

- a. U.S. consular officers do not have authority to interpret or apply the laws and regulations of the protected power regarding the performance of services on behalf of such power.
- b. The protected power is responsible for furnishing through the U.S. embassy information and instructions to U.S. consular officers, statements regarding the general principles applicable to the different categories of services performed on behalf of the protected power, or specific instructions regarding individual cases that constitute exceptions to these principles. For example, for Iran, we provide instructions to the U.S. Interests Section at the Swiss Embassy in Tehran through the Swiss Ministry of Foreign Affairs (MFA) in Bern.

### **7 FAM 1042 PRESENTING CLAIMS OR PROTESTS**

*(CT:CON-138; 05-17-2006)*

- a. An overseas post should not present to the authorities of the local power a formal claim or protest on behalf of a protected power, except when the Department (CA/OCS) transmits to the post concerned a text which is presented by the protecting power verbatim and without alteration in an instrument clearly identifiable as prepared by the protected power, which sets forth the claim or protest.
- b. The communication transmitting such a document should clearly state that the U.S. government is acting only as a transmitting medium and shall contain no comment on the subject matter of the document.
- c. Posts would not issue another country's passports, but could take passport applications if that is provided for in the bilateral agreement. A U.S. consul acting as a protector cannot in general adjudicate the citizenship on behalf of another country.

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- d. Posts would not perform marriage ceremonies even if that is a function usually performed by consular officers of the protected State.

## **7 FAM 1043 FEE COLLECTIONS**

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Collection of fees is a matter to be addressed in the individual protecting power agreement. Specific instructions will be provided to U.S. embassies and consulates when a protecting power arrangement is established and on a case by case basis by CA/OCS in conjunction with CA/EX, *CGFS* and the Office of the Legal Adviser. Specific service items may be created in the Automated Cash Register System (ACRS) to track fees collected under the agreement.

## **7 FAM 1044 THROUGH 1049 UNASSIGNED**